

STATE OF INDIANA

)

IN THE TIPPECANOE CIRCUIT COURT

) SS:

COUNTY OF TIPPECANOE

)

AVC NO. 06-020

IN RE: ROHR-TIPPE MOTORS, INC.,
doing business as, Bob Rohrman Honda,

Respondent.

FILED

MAY 12 2006

MISCELLANEOUS DOCKET

NO. 79001.0605-MI-00019

RECEIVED BY CERTIFIED

MAIL DATED 5-10-06

Steve Phillips
ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Mary Ann Wehmuller, and the Respondent, Rohr-Tippe Motors, Inc., enter into an Assurance of Voluntary Compliance (Assurance) pursuant to Indiana Code §24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law and upon consent of the parties.

The parties agree:

1. Respondent is an Indiana corporation engaged in the sale of new and used motor vehicles, with a principal place of business at 701 Sagamore Parkway S., Lafayette, Indiana 47905, and transacts business with Indiana consumers.
2. The terms of this Assurance apply to and are binding upon Respondent, its employees, agents, representatives, successors, and assigns.
3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*

4. Respondent, in soliciting and/or contracting with consumers, shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, that a vehicle offered for sale has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the Respondent knows or should reasonably know it does not, including but not limited to, representing that a vehicle offered for sale has not been wrecked when the Respondent knows should reasonably know the vehicle has been wrecked.

5. Respondent will refrain from making and shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, that a vehicle offered for sale is of a particular standard, quality, grade, style, or model, if it is not and if the supplier knows or should reasonably know that it is not, including but not limited to representing a vehicle offered for sale has undergone a certification inspection and/or reconditioning process, or that such inspection meets the certification program established by the original manufacturer, unless the Respondent has performed the "certification inspection" and/or knows or should reasonably know the vehicle meets the original manufacturer's certification program as represented.

6. Upon execution of this Assurance, Respondent shall pay costs in the amount of \$500.00 to the Office of the Attorney General.

7. Upon execution of this Assurance, Respondent shall pay consumer restitution in the amount of \$16,287.00 to the Office of the Attorney General on behalf of Jennifer S. Harra [REDACTED]

8. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

10. Respondent shall fully cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

11. The Office of the Attorney General shall file this Assurance with the Circuit Court of Tippecanoe County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

DATED this 10th day of May, 2006.

STATE OF INDIANA

RESPONDENT

STEVE CARTER
Attorney General of Indiana

ROHR-TIPPE MOTORS, INC.

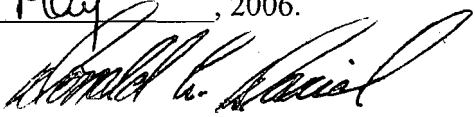
By: 

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(NAME)

Director of Operations
(TITLE)

APPROVED this 24th day of May, 2006.



Judge, Tippecanoe Circuit Court